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TELECOPIER TRANSMITTAL COVER SHEET

DATE: December 21, 2004

TO: Frederick L. Lagman

FROM: William David Kiesel

SEND TO FAX NUMBER: 703-872-9306

OUR FILE NUMBER: 10,276.001 – Applicant: Malcolm Lofton – Application No.:
~~09/183,999~~ – Title: “Portable Floodwater Barrier System”
10/659623 T.W.

MESSAGE: Attached is a copy of the § 312 Amendment that we mailed to you on November 2, 2004. Please confirm receipt of this transmittal.

NUMBER OF PAGES, INCLUDING THIS COVER SHEET: 9

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APPLICANT: Malcolm B. Lofton
TITLE: Portable Floodwater Barrier System
SERIAL NO.: ~~094854999~~ 10/659623 TW
DOCKET NO.: 10,276.001

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IN THE UNITED STATES
PATENT AND TRADEMARK OFFICE

APPLICANT: Malcolm B. Lofton
FILING DATE: September 10, 2003
SERIAL NO.: ~~097185,999~~ 10/659623^{TW}
TITLE: Portable Floodwater Barrier System
DOCKET NO.: 10,276.001

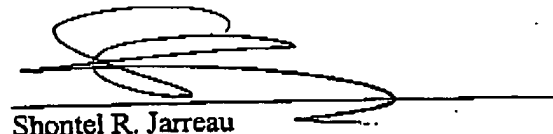
EXAMINER: FREDERICK L. LAGMAN
LAW OFFICE 3673
ASSISTANT COMMISSIONER FOR PATENTS
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Shontel R. Jarreau

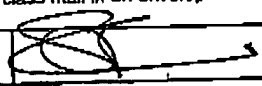
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TRANSMITTAL FORM (to be used for all correspondence after initial filing) Total Number of Pages in This Submission 8	Application Number	00189-999 10/659623
	Filing Date	SEPTEMBER 10, 2003
	First Named Inventor	MALCOLM B. LOFTON
	Art Unit	3673
	Examiner Name	FREDRICK L. LAGMAN
	Attorney Docket Number	10,276.001

ENCLOSURES (Check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/ Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input type="checkbox"/> Other Enclosure(s) (please identify below):
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Firm Name	ROY, KIESEL, KEEGAN & DENICOLA	
Signature		
Printed name	WILLIAM DAVID KIESEL	
Date	Reg. No.	25,863

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Typed or printed name	SHONTEL R. JARREAU
Date	NOVEMBER 2, 2004

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APPLICANT: MALCOLM B. LOFTON ATTY DOC #: 10,276.001

SERIAL NO.: ~~09/185,999~~ ^{10/659623 W.} ART UNIT: 3673

FILING DATE: SEPTEMBER 10, 2003 EXAMINER: LAGMAN, FREDERICK L.

TITLE: "PORTABLE FLOODWATER BARRIER SYSTEM"

Commissioner for Patents
P. O. Box 1450
Alexandria, Virginia 22313-1450§ 312 AMENDMENT

Applicant wishes to thank the Examiner for his courtesy in the telephone interview to discuss the pending allowed claims. It is respectfully requested to eliminated unnecessary limitations and to clarify the definition of the invention that the allowed claims be amended to read:

1. (Amended) A module [An elongated flexible tubular member] for use in forming a floodwater barrier system, the module having an elongated flexible tubular member, the tubular member having a cavity open at its opposite ends, the tubular member having at least one fill opening [and at least one sealable drain], the improvement to which comprises:
 - (a) a first rigid end cap attachable to one of the open ends of the tubular member in a manner to seal the one open end, and
 - (b) a second rigid end cap attachable to the other end of the tubular member in a manner to seal the other end, each of the first and second rigid end caps